

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/444,224 05/18/95 WILSKA

K 297-955893-N

CLARENCE A GREEN
PERMAN & GREEN
425 POST ROAD
FAIRFIELD CT 06430

26M2/0930

EXAMINER

ART UNIT	PAPER NUMBER
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2608

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DATE MAILED:

09/30/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/444,224

Applicant(s)
Wilska et al.

Examiner
Lisa Coward

Group Art Unit
2608



☒ Responsive to communication(s) filed on Jul 19, 1996

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1 and 4-28 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 and 4-28 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Part III DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Aoki.

Consider claim 19. Aoki discloses a portable notebook computer (figure 1, item 2), comprising:

a camera unit for recording an image of a selected object (figure 1, item 1), the camera unit comprising at least one memory unit for storing an image recorded by the camera (figure 3, item 3); and

a means for processing an image recorded by the camera unit (figure 3, item 113); wherein at least a portion of the camera unit is integrated in the housing of the notebook computer and a circuit card (figure 1).

Consider claim 20. Aoki discloses a means for performing character recognition of characters in an image recorded by the camera unit (figure 3, item 113; column 5, lines 29-33).

Consider claim 21. Aoki discloses a display means (figure 1, item 22) and a means for modifying an image appearing on the display (column 5, lines 29-33).

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-18, 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki in view of Paajanen et al. (herein after Paajanen).

Consider claims 1, 4, 5 and 18. Aoki discloses a device (figure 1, item 2), for data processing (figure 3, item 133), which is a small-sized portable and hand-held work station comprising of a data processing unit ; a display (figure 1, item 22); a user interface (keyboard); at least one memory unit (figure 5, items 32 and 33); a power source (figure 3, item 16); and application software must be inherent for the device to edit the images (column 5, lines 29-33), the device also has a camera unit (figure 1, item 1), which includes a camera and optics (column 3, line 34-38), and at least one memory unit (figure 5, items 32 and 33) wherein at least a portion of the camera is located within the housing of the device (figure 1).

Aoki does not disclose a device for personal communication. However, Paajanen discloses that it is well known to have a mobile phone unit interfaced with a portable personal computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to interface a mobile telephone with the computer in order to provided mobile voice and data communications.

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Consider claim 6. Aoki fails to teach the device having a replaceable keyboard. However, the examiner takes Official Notice the replaceable keyboards are notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a replaceable keyboard for the device in order to provide customers with an option on the type of keyboard used (i.e. ergonomic keyboard).

Consider claim 7. Aoki fails to show the camera and the computer communicating by infrared links. However, the Examiner takes "Official Notice" that it is well known in the art to communicate between two devices by radio, infrared and ultrasonic links. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the devices communicate by an infrared link in order to provide a wireless link.

Consider claim 10. Aoki discloses a battery power source (figure 3, item 16).

Consider claims 11, 13 and 16. Aoki discloses a semiconductor camera (figure 2, item 14).

Consider claims 14 and 17. Aoki discloses a circuit card. He fails to show PCMCIA card. However, the Examiner takes "Official Notice" that it is well known in the art to use a PCMCIA card to add features to a laptop computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a PCMCIA card and card slot to provide a consistent standard that can be removed and replaced with another device needed by the user.

Consider claim 12. Aoki discloses processing and storing the image in a memory unit for later recall (column 5, lines 29 - 33).

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Consider claim 8. Aoki discloses a circuit card (figure 1, item 3), which can be fitted into a card slot (figure 1, item 102) of a device for data collection and data processing in particular (column 5, lines 29-33), characterized in that at least a portion of a camera unit is integrated in the circuit card (figure 5, items 32 and 33), the camera unit comprises a camera and optics (column 3, lines 34-37) and is connected to an image processing unit (figure 3, lines 113).

Aoki does not disclosed a device for personal communication. However, Paajanen discloses that it is well known to have a mobile phone unit interfaced with a portable personal computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to interface a mobile telephone with the computer in order to provided mobile voice and data communications.

Consider claim 9. Aoki discloses a portable device comprising a solid-state camera unit (figure 1, item 1), a user interface (keyboard), a display (figure 1, item 22), and a microprocessor (figure 3, item 118), wherein the camera unit has a means for process and storing the image for later recall and processing (column 5, lines 29-33).

Aoki does not disclosed a device for personal communication. However, Paajanen discloses that it is well known to have a mobile phone unit interfaced with a portable personal computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to interface a mobile telephone with the computer in order to provided mobile voice and data communications.

Consider claim 15. Aoki discloses a device (figure 1, item 2), for data processing (figure 3, item 133), which is a small-sized portable and hand-held work station comprising of a data

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processing unit; a display (figure 1, item 22); a user interface (keyboard); at least one memory unit (figure 5, items 32 and 33); a power source (figure 3, item 16); a card slot (figure 1, items 23 and 102) and application software must be inherent for the device to edit the images (column 5, lines 29-33), the device also has a camera unit (figure 1, item 1), which includes a camera and optics (column 3, line 34-38) wherein at least a portion of the camera is integrated into the circuit card (figure 5, items 32 and 33).

Aoki does not disclosed a device for personal communication. However, Paaanen discloses that it is well known to have a mobile phone unit interfaced with a portable personal computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to interface a mobile telephone with the computer in order to provided mobile voice and data communications.

Consider claim 28. Aoki discloses a method for a recording an image of a selected object (figure 1, item 1) using a portable notebook computer, the notebook computer having a data processing unit and a camera unit that is electrically coupled to the data processing unit, the camera unit being integrated in the housing of the notebook computer and a circuit card that is fitted into a card slot of the notebook computer, wherein the method comprises the steps of operating the camera unit to record an image of the selected object; and .

storing and processing the image recorded by the camera unit to perform character recognition of characters in an image recorded by the camera unit (figure 3, item 113; column 5, lines 29-33).

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Aoki fails to disclose transmitting a portion of the recorded image by facsimile transmission. The examiner takes "Official Notice" that it is well known in the art to send a file to another location by a facsimile transmission from a portable notebook computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit a portion of an image recorded by the camera by a facsimile transmission in order to transfer the data to a person at a remote location.

Consider claims 22 and 23. See the rejection of claim 28 of this office action.

Consider claim 24. The examiner takes "Official Notice" that it is well known in the art to have a digitizer pad incorporated in a portable notebook computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a digitizer pad in order to input data.

Consider claim 25. The examiner takes "Official Notice" that it is well known in the art to have a portable notebook computer transmitting electronic mail messages, paging or connecting to an on-line information service. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a portable notebook computer capable of transmitting electronic mail messages, paging or connecting to an on-line information service to provide the user with access to different communication media with one device.

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki in view of Simpson et al. (herein after Simpson).

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Consider claim 27. Aoki fails to disclose using the Short Message Service. However, Simpson teaches that it is well known in the art to use the short message service for advertising purposes in portable devices. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a portable notebook transmit a SMS message including a portion of the image in order to provide a user of a portable device with a photograph of the advertised product.

Conclusion

6. Applicant's arguments with respect to claims 1 and 4-28 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than **SIX MONTHS** from the date of this final action.

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jambhekar et al. disclose an interface card with an electronic camera.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Coward whose telephone number is (703) 305-4847.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

The fax number for Group 2600 is (703) 305-9508.

L. Coward

September 25, 1996


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2600